

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
)
)
 v.) CRIMINAL ACTION
) NO. 05-40035-FDS
RICHARD BOTCHWAY,)
 Defendant,)
)

STATUS REPORT
January 20, 2006

SWARTWOOD, C.M.J.

The following is a Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

Mr. Botchway has filed a Motion To Compel certain records concerning the arresting officer from the Massachusetts State Police. I have denied that motion. However, before having a further status conference, I want to give Mr. Botchway sufficient time to appeal my ruling.

2. Further Status Conference

A further status conference shall be held in this case on February 7, 2006, at 2:00 p.m., in Courtroom 1, Fifth Floor, Donohue Federal Building, United States Courthouse, 595 Main Street, Worcester, Massachusetts.

3. Excludable Time

At the request of the Government and without objection from Mr. Botchway's counsel, I have excluded from the Speedy Trial Act, the period from January 4, 2006 (date of expiration of prior order of excludable time) through February 7, 2006 (date by which discovery should be completed). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Tuesday, April 18, 2006.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE